

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANT: Lorraine E. Pena, *et al.*) DOCKET NO.: C-3528/2/US
SERIAL NO.: 10/072,493) GROUP ART UNIT: 1615
FILED: February 5, 2002) EXAMINER: Unknown
TITLE: COMPOSITION FOR RECTAL DELIVERY OF AN OXAZOLIDINONE
ANTIBACTERIAL DRUG
DATE: July 18, 2002

COPY OF PAPER
ORIGINALLY FILEDCERTIFICATE OF MAILING

I hereby certify that this Response to Notice to File Missing Parts and recited enclosures are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on July 18, 2002.

Bernadette Y. Harper
Bernadette Y. Harper

Assistant Commissioner for Patents
Box Missing Parts
Washington, DC 20231

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicants received a Notice to File Missing Parts of Nonprovisional Application, dated April 11, 2002, indicating that an oath or declaration must be furnished. Applicants enclose herewith a fully executed Declaration and Power of Attorney. All required parts of the subject application have now been submitted in accordance with 35 U.S.C. §111(a).

This response is made on July 18, 2002, which is not within the two month period set for response. Petition is hereby made for an extension of time of two months within which to respond to the Notice to File Missing Parts.

Please charge the following fees to Deposit Account No. 21-0718:

- (1) \$130.00 or the sum required under 37 C.F.R. §1.16(e) as the surcharge for filing the oath or declaration on a date later than the filing date of the application; and
- (2) \$400.00 or the sum required under 37 C.F.R. §1.17(a)(1) as the extension fee for filing within two months after the due date for the present response.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karen B. King". The signature is fluid and cursive, with the first name "Karen" and last name "King" being clearly legible.

Karen B. King
Attorney for Applicants
Registration No. 41,898
Tel. (847) 581-6996

Address correspondence to:
Pharmacia Corporation
Corporate Patent Department
800 N. Lindbergh Boulevard – O4E
St Louis, MO 63167

Enclosures
Fee Transmittal Form
Declaration and Power of Attorney
Copy of Notice to File Missing Parts of Nonprovisional Application

PTO/SB/17 (11-01)
 Approved for use through 10/31/2002. OMB 0651-0032
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

\$530.00

Complete if Known

Application Number 10/072,493

Filing Date February 5, 2002

First Named Inventor Lorraine E. Pena

Examiner Name Unknown

Group Art Unit 1615

Attorney Docket No. 3528/2/US

COPY OF PAPERS
ORIGINALLY FILED

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

21-0718

Deposit
Account
Name

Pharmacia & Upjohn Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims				Fee from below	Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text" value="0"/>	X <input type="text"/>	= <input type="text" value="0.00"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text" value="0"/>	X <input type="text"/>	= <input type="text" value="0.00"/>
Multiple Dependent				<input type="text"/>	= <input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	400.00
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$530.00

SUBMITTED BY

Name (Print/Type)

Karen B. King

Registration No.
(Attorney/Agent)

41,898

Complete (if applicable)

Telephone

847-581-6996

Signature

Karen B. King

Date

7/18/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



JUL 2 4 2002
PATENT OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,493	02/05/2002	Lorraine E. Pena	3528/2

Pharmacia & Upjohn Company
Patent Department
800 N. Lindbergh Boulevard - 04E
St. Louis, MO 63167

DOCKETED

APR 25 2002

BY: _____
DOCKETING DEPT.
PHARMACIA

CONFIRMATION NO. 1201
FORMALITIES LETTER

OC000000007845014

Date Mailed: 04/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

COPY OF PAPER
ORIGINALLY FILED

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/26/2002 SDENBOB1 00000080 210718 10072493
01 FC:105 130.00 CH